

REMARKS

Status of Claims

Claims 1 – 24 were original in the application. Claims 2 - 9 and 14 – 21 have been cancelled without prejudice. Claims 1 and 13 have been amended. Claims 25 and 26 have been added. Claims 1, 10 – 13, and 22 - 26 are submitted for examination on the merits.

Rejection Pursuant to 35 U.S.C. 102(e)

Claims 1, 10 – 13, and 22 – 26 are rejected as being anticipated under section 102(e) by a new reference, Pyles et al US Patent Publication 2002/0055418.

Pyles is characterized *inter alia* as directed to stress reduction exercises interactively based on user biofeedback. Nowhere does Pyles refer to stress reduction exercises or to user biofeedback. Pyles refers instead to physical exercise.

It is very clear from the context of the specification here with its multiple references to mental and emotional stress conditions that what is being referenced are neurological or mental and emotional stress reduction exercises and not physical exercise.

It cannot be assumed or contended that physical exercise is stress reduction exercise, particularly since it is well known that physical exercise creates physical stresses in the body. This is why heart patients have stress test treadmill exercises to determine whether the increase cardiovascular stress creates measurable EKG patterns or angina indicative of heart disease. A stress reduction exercise includes

meditation, controlled breathing, sleep like states of awareness and does not involve physical exercise or fitness training which is the object of Pyles' device.

Neurological stress is one of the material factors in heart disease, which is a leading cause of death in industrialized societies. It is known that patients can suffer stress-induced heart attacks. Wide spread instances of fatalities arising in stressful conditions are well documented. Reduction of stress is one of the primary treatments urged upon victims of heart disease. Fitness training creates physical stress and does not necessarily result in reduction of mental stress at all.

Paragraphs [0008] – [0010] of Pyles fail to disclose user biofeedback for stress reduction. Only heart rate is mentioned and then again only in the context of fitness training. Heart rate is a biofeedback, but in stress reduction exercises the goal is to reduce heart rate as an indicator of a relaxed state and not to elevate it as an measure of cardio-vascular exercise in fitness training. Biofeedback in terms of skin responses, muscle tone, EEG patterns and the like as may be relevant to stress reduction play no role in fitness training and hence are not within the contemplation of Pyles' disclosure.

Claim 1 is directed to a biofeedback system in a computer network for *treating stress* in a user of the computer network. This is **not** disclosed by Pyles.

Claim 1 is directed to a program controlled computer coupled to the computer network for executing a program to generate a modifiable schedule of *stress reduction exercises* personalized to the user and which *stress reduction exercises* are to be performed by the user interactively through use of the computer. Pyles' computer and network does **not** generate *stress reduction exercises* personalized to the user and

which are to be interactively performed by the user through use of the computer the computer receiving biofeedback input from the user.

Claim 1 is directed to a program controlled computer monitoring compliance by the user with the schedule of *stress reduction exercises*, which schedule is modifiable according to:

1. the compliance of the user with the schedule of *stress reduction exercises*,
2. the performance of the user in the *stress reduction exercises*,
3. situational events to which the user is subjected which cause *stress*,
4. biofeedback from the user during performance of the *stress reduction exercises* or at times other than during the performance of the *stress reduction exercises*,
5. information input into the computer by the user relating to personalized *stress characteristics* of the user, and/or
6. information input into the computer by the user relating to personalized *stress related history* of the user.

Pyles does **none** of these modifications with a schedule of *stress reduction exercises*.

The Applicant respectfully submits that the claimed invention is not disclosed in
any part by Pyles and respectfully requests advancement of the claims to allowance.

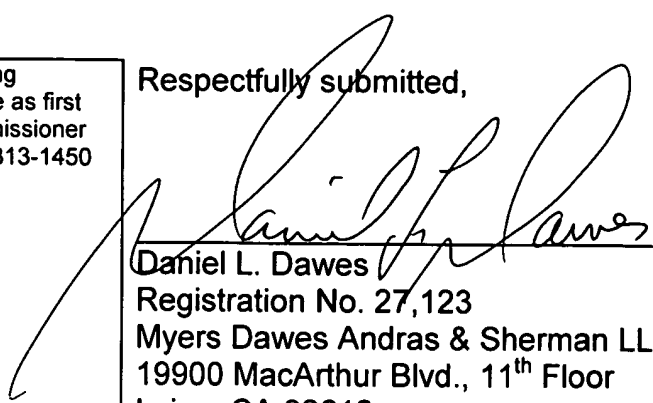
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September 18 2006

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